

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 142

Introduced by Senator Maldonado

February 11, 2009

~~An act to amend Section 1501 of the Health and Safety Code, relating to health care facilities. An act to add Section 12301.22 to the Welfare and Institutions Code, relating to public social services.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 142, as amended, Maldonado. ~~Community care facilities. In-home supportive services: provider timesheets.~~

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium.

Under existing law, the State Department of Social Services is required, in consultation and coordination with county welfare departments, to establish and implement statewide hourly task guidelines and instructions to provide counties with a standard tool for consistently and accurately assessing service needs and authorizing service hours to meet those needs.

This bill would require the department to revise the standardized timesheet used to track the work performed by IHSS providers to require that the specific times worked by the provider be recorded, rather than

the total hours worked. The bill would require provider timesheets to be submitted to the county within 30 days of providing the services recorded on the timesheet.

Existing law requires the department to be responsible for procuring and implementing a new Case Management Information and Payroll System (CMIPS) for the IHSS program, as specified.

This bill would be implemented only when the department has procured and implemented the new CMIPS, but in no event later than December 31, 2010.

Existing law provides for the licensure and regulation of community care facilities, as defined, by the State Department of Social Services.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12301.22 is added to the Welfare and
2 Institutions Code, to read:

3 12301.22. (a) The department shall revise the standardized
4 timesheet used to track the work performed by providers of services
5 under this article, to require the specific times worked by the
6 provider to be recorded, rather than the total hours worked.

7 (b) A provider timesheet shall be submitted to the county within
8 30 days of providing the services recorded on the timesheet.

9 (c) This section shall be implemented only when the department
10 has procured and implemented the new Case Management
11 Information and Payroll System (CMIPS) provided for in Section
12 12317, but in no event later than December 31, 2010.

13 ~~SECTION 1. Section 1501 of the Health and Safety Code is~~
14 ~~amended to read:~~

15 ~~1501. (a) The Legislature hereby finds and declares that there~~
16 ~~is an urgent need to establish a coordinated and comprehensive~~
17 ~~statewide service system of quality community care for mentally~~
18 ~~ill, developmentally and physically disabled, and children and~~
19 ~~adults who require care or services by a facility or organization~~
20 ~~issued a license or special permit pursuant to this chapter.~~

1 ~~(b) Therefore, the Legislature declares it is the intent of the~~
2 ~~state to develop policies and programs designed to do all of the~~
3 ~~following:~~

4 ~~(1) Ensure a level of care and services in the community that is~~
5 ~~equal to or better than that provided by the state hospitals.~~

6 ~~(2) Ensure that all people who require them are provided with~~
7 ~~the appropriate range of social rehabilitative, habilitative and~~
8 ~~treatment services, including residential and nonresidential~~
9 ~~programs tailored to their needs.~~

10 ~~(3) Protect the legal and human rights of a person in or receiving~~
11 ~~services from a community care facility.~~

12 ~~(4) Ensure continuity of care between the medical health~~
13 ~~elements and the supportive care-rehabilitation elements of~~
14 ~~California's health systems.~~

15 ~~(5) Ensure that facilities providing community care are adequate,~~
16 ~~safe, and sanitary.~~

17 ~~(6) Ensure that rehabilitative and treatment services are provided~~
18 ~~at a reasonable cost.~~

19 ~~(7) Ensure that state payments for community care services are~~
20 ~~based on a flexible rate schedule varying according to type and~~
21 ~~cost of care and services provided.~~

22 ~~(8) Encourage the utilization of personnel from state hospitals~~
23 ~~and the development of training programs to improve the quality~~
24 ~~of staff in community care facilities.~~

25 ~~(9) Ensure the quality of community care facilities by evaluating~~
26 ~~the care and services provided and furnishing incentives to upgrade~~
27 ~~their quality.~~